

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ALVIN ROYBAL,
JERRY B. SANCHEZ, and
ANSELMO SMITH,

Plaintiffs,

vs.

Civ. No. 13-25 KG/KBM

CITY OF ALBUQUERQUE,
RICHARD J. BERRY, Mayor,
ROBERT PERRY, Chief Administrative Officer,
VINCENT YERMAL, Director of Human Resources,
MARY SCOTT, Deputy Dir. of Human Resources,
BRUCE RIZZIERI, Transit Department Director,
CITY PERSONNEL BOARD,
CITY LABOR-MANAGEMENT RELATIONS BOARD,
BARBARA ALBIN, Personnel Hearing Officer, and
PAULA I. FORNEY, Attorney.

SUMMARY JUDGMENT AND DISMISSAL OF ALL CLAIMS
AGAINST DEFENDANTS CITY PERSONNEL BOARD AND BARBARA ALBIN

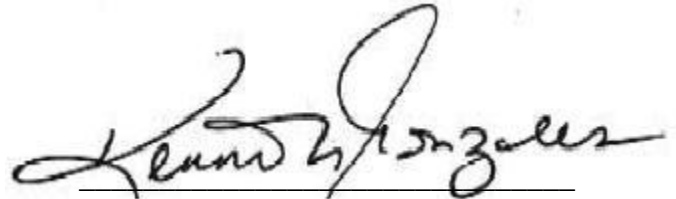
Having granted, in part, Defendants City Personnel Board and Barbara Albin's Motion for Summary Judgment (Doc. 19) and having determined that all of Plaintiffs' remaining claims against Defendants City Personnel Board and Albin will be dismissed with prejudice by a Memorandum Opinion and Order entered contemporaneously with this Summary Judgment and Dismissal of All Claims Against Defendants City Personnel Board and Barbara Albin,

IT IS ORDERED that

1. summary judgment is entered in favor of Defendants City Personnel Board and Barbara Albin on Counts 1, 3, and 4 of Plaintiffs' First Amended Complaint (Doc. 26);
2. summary judgment is entered in favor of Defendants City Personnel Board and Barbara Albin on the portion of Count 6 of the First Amended Complaint which seeks damages;

3. the portion of Count 6 of the First Amended Complaint brought against Defendants City Personnel Board and Barbara Albin which seeks injunctive and declaratory relief is subject to dismissal for failing to state a claim upon which relief can be granted; and

4. all of Plaintiffs' remaining claims against Defendants City Personnel Board and Barbara Albin are dismissed with prejudice.

A handwritten signature in black ink, appearing to read "Kenneth H. Jones", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE